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Spy Suspect Faces New Espionage Counts

SAN FRANCISCO (AP)—New espionage charges have been made in a federal grand jury indictment returned Friday against a California man arrested Oct. 15 for allegedly selling defense secrets to a Polish spy.

James Durward Harper Jr. originally had been charged with delivering national defense information to aid a foreign government.

The indictment charges him with conspiring to deliver national defense information to aid a foreign government, unlawfully obtaining such information, unlawfully retaining such information, delivery

of the material, income tax evasion and making a false income tax return.

Harper has been in custody without bail and is to be arraigned Monday before U.S. Magistrate Joan Brennan.

The indictment contains little information that had not been disclosed in an FBI affidavit that accompanied the original complaint.

Harper, 49, of Mountain View, was accused of stealing the secrets from May, 1979, to the present and receiving more than \$250,000 from the Polish agents.

He was assisted by his late wife,

Ruby Louise Schuler, who was employed by Systems Control Inc. of Palo Alto and had access to numerous classified documents, the indictment said.

U.S. District Judge Samuel Conti refused a request by the U.S. attorney's office to seal the indictment.

The indictment contains the titles of 61 documents that Harper allegedly obtained unlawfully. The indictment said he delivered 21 documents and kept 37; it made no mention of the other three. All were classified either as secret or confidential.